

# LYNCHBURG CITY COUNCIL

## Agenda Item Summary

MEETING DATE: **May 28, 2002**

AGENDA ITEM NO.: 14

CONSENT:

REGULAR: **X**

CLOSED SESSION:  
(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Conditional Use Permit Request, Peakland United Methodist Church,  
4434 Boonsboro Rd.**

- SUMMARY: On May 14, 2002, Peakland United Methodist Church petitioned City Council for a CUP at 4434 Boonsboro Road to allow the construction of an educational building, columbarium, and additional parking in an R-1, Single-Family Residential District.
- After the public hearing on May 14, Council asked the petitioner to submit a revised site plan for the May 28 meeting. The revised site plan is attached. The changes include:
  1. Pushing the parking lot twenty-six (26) feet further back from Gorman Drive. The original site plan indicated a parking lot set back of fifty (50) feet from the property line. The revised site plan indicates a parking lot set back of seventy-six (76) feet from the property line and ninety (90) feet from the edge of street pavement.
  2. Narrowing of the driveway from twenty (20) feet to fifteen (15) feet. The City Traffic Engineer stated that the minimum width on a commercial driveway is fifteen (15) feet and a typical residential driveway is twelve (12) feet. The existing church driveway off Gorman Drive is eleven (11) feet wide. The Traffic Engineer would allow a driveway no less than thirteen (13) feet. The Fire Marshall stated that while a typical fire lane is eighteen (18) feet, no fire lane is required at the rear of this church.
  3. A note has been added to the site plan indicating that the four existing trees bordering the proposed driveway off Gorman will remain. The difference in elevation from Gorman Drive to the edge of parking lot is six (6) feet. In addition, the originally proposed vegetative buffer remains intact and the berm height will be one (1) foot.
  4. The corner lot where the existing house is to remain is still shown on the site plan, but there is no written note indicating that the house will remain.

For Council's information, Section 35.1-15(f) of the Zoning Ordinance states: "In approving a conditional use permit City Council may impose any conditions which it deems necessary or appropriate."

### PRIOR ACTION(S):

April 10, 2002:

Planning Commission recommended (5-1) approval of the CUP petition with conditions as follows:

1. Any future proposals for expansion of facilities or use will require a "Master Plan" to be submitted and approved by the City Council.
2. A subdivision plat will be submitted that vacates all interior lot lines of the current Church facilities.
3. All exterior lighting (existing and proposed) will be non-directional and glare shielded to prevent illumination across the property line.
4. A vegetative evergreen buffer will be planted along the eastern property line. This evergreen buffer will extend from the edge of the existing parking area to the northern most property line.
5. The Church will keep the gate to the existing dumpster closed and will keep the property litter free.
6. Access from Gorman Drive will be one-way entrance only.

7. The site plan shall be used and developed (with approved stormwater measures) in substantial compliance with the site plan titled "CUP Plan for Peakland United Methodist Church" as prepared by Hurt and Proffitt, Inc. dated March 26, 2002 and received March 27, 2002.

May 14, 2002:

City Council held a public hearing and postponed a final decision on the matter until May 28, 2002. City Council requested that the Church revise the site plan to increase the setback of the proposed parking area and narrow the driveway. In addition, City Council considered placing a condition on the proposed development that the existing structure located at 4429 Gorman Drive remain as a "buffer" between the Church and the neighborhood.

FISCAL IMPACT: N/A

CONTACT(S):

Rachel Flynn/847-1508, ext. 253

Tom Martin/847-1508, ext. 226

ATTACHMENT(S):

- Resolution
- Site Plan Revised 5/22/02

REVIEWED BY:

AS RECOMMENDED BY THE PLANNING COMMISSION

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO THE PEAKLAND UNITED METHODIST CHURCH FOR USE OF THE PROPERTY AT 4434 BOONSBORO ROAD TO ALLOW ADDITIONS AT AN EXISTING CHURCH, SUBJECT TO CERTAIN CONDITIONS.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LYNCHBURG that the petition of the Peakland United Methodist Church for a Conditional Use Permit for use of the property at 4434 Boonsboro Road to allow construction of a educational building, columbarium and additional parking spaces be, and the same is hereby, approved, subject to the following conditions:

1. Any future proposals for expansion of facilities or use will require a "Master Plan" to be submitted and approved by the City Council.
2. A subdivision plat will be submitted that vacates all interior lot lines of the current Church facilities.
3. All exterior lighting (existing and proposed) will be non-directional and glare shielded to prevent illumination across the property line.
4. A vegetative evergreen buffer will be planted along the eastern property line. This evergreen buffer will extend from the edge of the existing parking area to the northern most property line.
5. The Church will keep the gate to the existing dumpster closed and will keep the property litter free.
6. Access from Gorman Drive will be one-way entrance only.
7. The site plan shall be used and developed (with approved stormwater measures) in substantial compliance with the site plan titled "CUP Plan for Peakland United Methodist Church" as prepared by Hurt and Proffitt, Inc. dated March 14, 2002 and received March 27, 2002.

Adopted:

Certified:

\_\_\_\_\_  
Clerk of Council

126L

AS REQUESTED AT THE MAY 14 COUNCIL MEETING

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO THE PEAKLAND UNITED METHODIST CHURCH FOR USE OF THE PROPERTY AT 4434 BOONSBORO ROAD TO ALLOW ADDITIONS AT AN EXISTING CHURCH, SUBJECT TO CERTAIN CONDITIONS.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LYNCHBURG that the petition of the Peakland United Methodist Church for a Conditional Use Permit for use of the property at 4434 Boonsboro Road to allow construction of a educational building, columbarium and additional parking spaces be, and the same is hereby, approved, subject to the following conditions:

1. Any future proposals for expansion of facilities or use will require a "Master Plan" to be submitted and approved by the City Council.
2. A subdivision plat will be submitted that vacates all interior lot lines of the current Church facilities.
3. All exterior lighting (existing and proposed) will be non-directional and glare shielded to prevent illumination across the property line.
4. A vegetative evergreen buffer will be planted along the eastern property line. This evergreen buffer will extend from the edge of the existing parking area to the northern most property line.
5. The Church will keep the gate to the existing dumpster closed and will keep the property litter free.
6. Access from Gorman Drive will be one-way entrance only.
7. The structure located at 4429 Gorman Drive will remain to serve as a "buf Church facilities and the neighborhood.
8. The driveway extending from Gorman Drive will not exceed \_\_\_\_\_ feet in width.
9. The site plan shall be used and developed (with approved stormwater measures) in substantial compliance with the site plan titled "CUP Plan for Peakland United Methodist Church" as prepared by Hurt and Proffitt, Inc. dated March 14, 2002, received March 27, 2002 and revised May 22, 2002.

Adopted:

Certified:

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Clerk of Council

126L

The Department of Community Planning & Development  
City Hall, Lynchburg, VA 24504 434-847-1508

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**To:** Planning Commission  
**From:** Planning Division  
**Date:** April 10, 2002  
**Re:** **CONDITIONAL USE PERMIT (CUP): 4434 Boonsboro Road**

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**I. PETITIONER**

Peakland United Methodist Church, 4434 Boonsboro Road, Lynchburg, VA 24503.

**Representative:** Tracey Norvelle, Hurt & Proffitt Inc., 2524 Langhorne Road, Lynchburg VA 24501

**II. LOCATION**

The subject property is a tract of about 4.2 acres located at 4434 Boonsboro Road at its intersection with Gorman Drive.

**Property Owner:** United Methodist Church, 4434 Boonsboro Road, Lynchburg, VA 24503.

**III. PURPOSE**

The purpose of this petition is to allow the construction of an education building, columbarium, and parking lot in an R-1, Single-Family Residential District.

**IV. SUMMARY**

- Petition agrees with the *General Plan*, in that churches are permitted in residential areas upon approval of a CUP by City Council.
- Church is adding educational space, columbarium and parking for the existing Church, but is requiring the demolition of two (2) structures, one of which is an existing residential land use.
- Petition extends the institutional character of the block and can be compatible with the community.

**The Planning Division recommends approval of the CUP petition.**

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**V. FINDINGS OF FACT**

1. **General Plan.** The Lynchburg *General Plan* recommends a Major-Private Institution use for the subject properties. The subject petition proposes to use the property for additional institutional uses but is requiring the demolition of two (2) structures, one of which is an existing residential land use.
2. **Zoning.** The existing residential zoning was established in 1960 after the 1958 annexation, and has remained as such to the present. The proposed use is compatible with the existing R-1 zoning in that a church can be allowed in this district upon approval of a CUP by City Council. The petition will not change the existing zoning of the property.
3. **Board of Zoning Appeals (BZA).** The Zoning Official has determined that no variances will be needed for the proposed additions or parking area.
4. **Surrounding Area.** City Council has acted upon two CUP petitions for the Church.
  - On December 12, 1995 the City Council approved the Church's petition for the use of an existing structure at 4434 Gorman Drive for use as a multi-purpose facility.
  - On August 3, 1996 the City Council approved the Church's petition for the construction of twenty-six (26) additional parking spaces located at 4434 Boonsboro Road.
5. **Site Description.** The subject property is approximately 4.2 acres. The Church was constructed in 1957. The Church proposes to demolish two (2) adjacent structures for the proposed building addition and parking area. The structure closest to the existing Church facility was converted from a residential use to an institutional use of a multi-purpose facility in 1995. Until recently, the Church rented the second structure as a single-family residence. Abutting the subject property to the north

is a single-family residence currently owned by the Church. The Church has no current plans to demolish this residential structure. To the east (across Gorman Drive) are single-family residences.

6. **Proposed Use of Property.** The purpose of the CUP is to allow the construction of an education building, columbarium, and parking lot in an R-1, Single-Family Residential District.
7. **Traffic & Parking.** The City Traffic Engineer had no comments of concern regarding the subject petition. The proposed additions are not expected to increase the amount of traffic significantly. The seating capacity of the existing sanctuary is three hundred and twenty (320) people. The proposed additions will not increase the seating capacity of the current sanctuary. Based on the regulations of the Zoning Ordinance, the seating capacity of the church would require one hundred and six (106) parking spaces. The Church currently has one hundred and twenty-one (121) parking spaces. The proposed addition of thirty-two (32) spaces would bring the total parking to one hundred and fifty-three (153) spaces.
8. **Storm Water Management.** The Environmental Specialist of the Robert E. Lee Soil & Water Conservation District notes that a storm water management plan will be required if the disturbed area exceeds 1,000 square feet. An erosion and sediment control/stormwater management plan and narrative will be required. According to the representative for the Church, additional stormwater will be controlled by using Best Management Practices (BMP's).
9. **Impact.** The current submittal proposes the demolition of two (2) structures for the construction of an educational building, columbarium and additional parking. One of these is currently a residential land use and the other was changed to an institutional use on December 12, 1995 with the approval of a CUP by the City Council. Although the Planning Division is concerned with losing sound housing stock, the existing Land Use plan notes this area as an institutional land use. A third residential structure owned by the Church is not part of the current proposal. This structure is also noted on the existing Land Use Plan as an institutional land use. The Planning Division encourages the Church to retain this structure to preserve the residential character of the neighborhood. The columbarium is proposed to be within a courtyard area within the educational building addition. The placement of the columbarium within this courtyard would not further any impact other than the educational building itself. The proposed additions and parking will have an impact similar to the existing Church facilities. With adequate landscaping and buffering this impact should be kept to a minimum.
10. **Technical Review Committee.** The Technical Review Committee (TRC) reviewed the preliminary site plan on March 5. The Planning Division staff expressed concerns on the proposal for demolition of the two (2) existing structures and has wavered on its support of this petition. The Planning Division recognizes that the City has no control of the demolition of these structures other than as a part of this CUP petition. Further noting that the existing Land Use plan indicates an institutional land use for this property, the Planning Division has worked closely with the Church and its representatives to develop a plan that is acceptable to the Church and the City.
11. **Conditions.** According to Section 35.1-15 (f) of the Zoning Ordinance, the Planning Commission or City Council may impose any conditions deemed necessary or appropriate in approving a CUP.

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## VI. PLANNING DIVISION RECOMMENDATION

**Based on the preceding Findings of Fact, the Planning Commission recommends to the City Council approval of the petition of Peakland United Methodist Church for a Conditional Use Permit at 4434 Boonsboro Road to allow the construction of an educational building, columbarium and additional parking at the existing Church in an R-1, Single-Family Residential District, subject to the following conditions:**

1. **Any future proposals for expansion of facilities or use will require a "Master Plan" to be submitted and approved by the City Council.**
2. **A subdivision plat will be submitted that vacates all interior lot lines of the current Church facilities.**

3. **All exterior lighting will be non-directional and glare shielded to prevent illumination across the property line.**
4. **The site shall be used and developed in substantial compliance with the site plan titled “CUP Plan for Peakland United Methodist Church” as prepared by Hurt and Proffitt, Inc. dated March 26, 2002 and received March 27, 2002.**

This matter is respectfully offered for your consideration.

William K. McDonald, AICP  
Acting City Planner

pc: Mr. L. Kimball Payne, III, City Manager  
Mr. Walter C. Erwin, City Attorney  
Ms. Rachel O. Flynn, Director of Community Planning & Development  
Mr. Bruce A. McNabb, Director of Public Works  
Mr. John W. Jennings, Fire Marshal  
Ms. Judith C. Wiegand, Strategic Planner  
Mr. J. Lee Newland, Director of Engineering  
Mr. Gerry L. Harter, Traffic Engineer  
Mr. Karl Cooler, Building Commissioner  
Mr. Arthur L. Tolley, Zoning Official  
Mr. Robert S. Fowler, Zoning Official  
Ms. Tracey Norvelle, Hurt & Proffitt, Representative

#### VII. ATTACHMENTS

1. Vicinity Zoning Pattern (see attached map)
2. Vicinity Proposed Land Use (see attached map)
3. Site Plan (see attached site plans)
4. Narrative from church (see attached narrative)
5. List of Organizations using church facilities (see attached list)
6. Letter of support (see attached letter)

## MINUTES FROM THE APRIL 10<sup>TH</sup> PLANNING COMMISSION MEETING

Petition of Peakland United Methodist Church for a Conditional Use Permit at 4434 Boonsboro Road to construct an education building, columbarium, and parking lot in an R-1, Single-Family Residential District.

Mr. Martin said this proposal would require the demolition of two existing structures, one of which was converted to institutional use in 1995 with approval of a CUP, and the second was a residential structure that had been used as such until recently. He added that the existing land use plan did call for institutional use for all of the subject property. Mr. Martin made one clarification for the Commission. He said the Planning Division's report stated that stormwater would be handled by Best Management Practices (BMP); however, in speaking to the representative for the developer, the threshold of 10,000 square feet for BMP had been exceeded. Mr. Martin concluded by saying that as a result, the stormwater runoff would have to be dealt with by other methods.

Ms. Tracey Norvelle, Hurt & Proffitt, represented Peakland United Methodist Church in this petition. Ms. Norvelle said they were requesting a CUP for construction of a building addition, a parking lot, and a columbarium. She said since there was no increase in the sanctuary size the church was not required to provide additional parking; however, the church felt that additional parking was needed to get as many cars as possible off of Gorman Drive. Ms. Norvelle explained that the proposed building addition would be used for classrooms, offices and educational use. She continued by saying that two of the three homes, which the church currently owned, would be removed to make room for the proposed parking lot, and the third home would remain as a separate parcel. She said the columbarium would be on the interior of the courtyard and would no effect on the neighborhood. Ms. Norvelle told the Commission that architect Robert Winthrop had designed the proposed addition to blend with the original church structure. She added that they would be adding a substantial amount of landscaping, which would likely exceed the City's requirements. She added that she and the church's representatives had met with the City staff several times to develop a plan that would be suitable for everyone. Ms. Norvelle noted that the church provided a service to the community by allowing their facilities to be used by numerous non-church affiliated organizations and groups. She concluded by saying that the church had held a neighborhood meeting, inviting everyone on the City's adjoining property owner list. She said there were no more than three neighbors at that meeting and the church received no feedback to their petition.

Ms. Anita MacNeal, 4949 Locksview Drive, Chair of Building Committee and of the church Trustees, addressed the Commission. Ms. MacNeal said the church had been working on this plan for many years, and the homes on Gorman Drive had been acquired with this plan in mind. She added that the house closest to the church had been purchased over twelve years ago and the second home was purchased approximately ten years ago by a group of investors on behalf of the church and donated the property to the church. She noted that the third house was purchased approximately five years ago and would be used as a second parsonage or as rental property; she continued by saying that the church had no intention of using the house for any other purpose. Ms. MacNeal said the church had always been a good neighbor to the community and tried to keep their facility accessible and available to those who needed it. She said this was a continuation of a mission that would enable the church to better serve others.

Mr. Chris Hutter, 1215 Greenway Court, addressed the Commission in opposition to the petition. Mr. Hutter told the Planning Commission that he was not affected by the construction, but by the steady increase of activity on the playground. He explained that there was a steep drop from the playground to his house and the noise carried down that slope. Mr. Hutter continued by saying that the church dumpster was situated on the property line. He said the gate to the wooden surround was always open and trash made its way down the bank and was caught by the vegetation on his property. He asked that the Commission include a condition in the CUP requiring the church to install a buffer, either a wood fence or vegetation, to help alleviate the noise from the playground and the trash from the dumpster. Mr. Hutter said a minor concern of his was the lighting from the church shining on his



property, which was more of a problem in the winter months. He suggested that since the new lights were required to be shielded, could that requirement be extended to include all existing lights.

Mr. West Francus, 4351 Gorman Drive told the Commission that he needed more information before making a determination whether he was a proponent or an opponent to the petition. He asked the direction of traffic flow for drop-off and pick-up of the preschool children. He said he did not want to have an increase in traffic on Gorman Drive.

Ms. Norvelle explained that the traffic flow would be the same as currently. She said the only difference was that the driveway would be moved further up Gorman Drive toward the residential area.

Ms. Sara Francus, 4351 Gorman Drive said traffic traveled too fast on Gorman Drive and asked if cars dropping off preschoolers would be traveling one-way on that street.

Ms. MacNeill said there was no preconceived notion as to the direction of the traffic flow; however, she said they had discussed one-way turning from Gorman Drive into the new parking lot. She said it seemed like it would be best if traffic turned into the lot from Gorman Drive, drop off and pick up their preschoolers, and exited back onto Boonsboro Road. She said they wanted to make the flow the most sensible and safe.

Mr. Robert Galloway, 4425 Gorman Drive, spoke in opposition to the petition and added that he was speaking for six of his neighbors. Mr. Galloway asked why the church needed additional parking if they were not increasing the enrollment of students for the day care facility nor increasing the size of the sanctuary. Mr. Galloway said there had been flooding in basements of houses on Gorman Drive in the past, and felt sure it would happen again with the paving of the proposed parking lot. He added that there were only two drop inlets located on that street and said those inlets would not be enough to handle the run off caused by the paving. He noted that the parking lot would cause the value of the houses in the area to decrease. Mr. Galloway said if the project was approved, his house would only be one house away from the parking lot. He said the lights were bright now and would be brighter still when the project was complete. He said something needed to be done to ensure that the lights would be shielded from the area homes. He added that the church needed to police their grounds frequently to eliminate the trash problem. He said the neighborhood tried very hard to be clean and neat and that should include the church. Mr. Galloway concluded by saying that if these problems were not addressed now, they would not be addressed later and would only get worse.

Mr. John Nash, 4415 Gorman Drive spoke in opposition to the petition. Mr. Nash said he did not like the fact that the church was going to demolish two of their three houses, but knew that they could tear them down with no questions asked. He said people use Gorman Drive as a short cut from Trent's Ferry Road. He said they travel too fast and there was a safety issue. He added that he saw the potential for a substantial increase in traffic. Mr. Nash said the preschool enrolled 88 students, which meant 88 trips in and 88 trips out of the site each day. He wondered if this was going to be a church with a preschool or a preschool with a church. He suggested that this be declared a school zone with blinking lights. Mr. Nash ended by saying that the current stormwater plans may be adequate for a normal rain shower, but if there was a heavy storm there could be trouble for those houses down Gorman Drive.

Mr. West Francus, 4351 Gorman Drive, spoke in opposition to the petition. Mr. Francus said he did not want a traffic increase on Gorman Drive. He said if the Commission does recommend approval of this petition, he would like for them to require the entrance to the proposed parking lot be on Gorman Drive and the exit be on Boonsboro Drive. He told the Commission that in the past when sewer work was done on Greenway Court there was an immediate increase of stormwater runoff at the houses down the hill. He said if there was no additional students, who do they need more parking. Mr. Francus said if the church was expanding they needed to admit that they are expanding, if they were indeed not expanding, then an additional parking lot was not needed.

Ms. Sarah Francus, 4351 Gorman Drive spoke in opposition to the petition.

Ms. Francus asked if a business were situated next to a residential area would the parking lot be allowed and would it be allowed to connect to that residential street. She said the neighborhood had been working with the City to develop a solution to control the traffic, but nothing had been accomplished yet, and she said she was totally opposed to this parking lot being open to Gorman Drive.

Mr. Martin explained that originally the plan had been to handle stormwater with Best Management Practices (BMP), which included landscaping, mulch beds, and green space. However, he continued, to utilize the BMP, the impervious area could be no more than 10,000 square feet, and any site larger than that had to make use of an underground system or retention pond. He said the engineer for the developer would have to obtain the approval of the representative from the Robert E. Lee Soil and Water Conservation District for the pre and post calculations, and the stormwater and erosion control would have to be approved by the City.

Mr. Roger Vaden, 1042 Greenwood Court, spoke in opposition to the petition. Mr. Vaden said he and family were not directly effected by the church's plans, but when there was an increase in parking lots and a decrease in housing stock the citizens of the City suffer and the integrity of the neighborhood would change.

Mr. Tom Leebrick, 4346 Gorman Drive, spoke in opposition to the petition. Mr. Leebrick said when he moved into the neighborhood he thought he was investing in R-1 property and was now afraid that the City was converting the R-1 area into something different. He said he realized that preschools were allowed in residential areas with CUPs, but this facility was originally on Boonsboro Road and was currently being moved to Gorman Drive. He said preschools were revenue-generating entities, and in addition to traffic associated with the pick up and drop off of children, even more traffic was generated when the school had special programs outside of the regular school day. He added that Boonsboro Road could handle a large volume of traffic, but Gorman Drive could not, and noted that increased traffic on Gorman Drive was a serious problem. Mr. Leebrick said allowing a parking lot in a residential area would change the character of the neighborhood. He said the residents of that area had made a commitment to the City under the impression that their neighborhood would remain a neighborhood and not be tampered with. Mr. Leebrick said by approving this plan the City was altering with the neighborhood and would cause potential residents to hesitate investing their future in the area.

Ms. Norvelle gave a rebuttal. She explained that any stormwater generated by the Church had to meet the regulations set by the law, and she had already been working with Public Works to develop an adequate plan. She said any improvements that had to be done to the existing drainage would be paid for by the Church. She added that if there were existing drainage problems, it should not fall on the Church to solve those problems.

Ms. Norvelle said there would always be noise on a playground and felt sure the Church would be willing to plant a vegetative buffer to help soften that noise. She said the Church would also be agreeable to trying to keep the dumpster gate closed to hopefully eliminate trash escaping into the neighbor's yard. She continued by saying that while installing glare shields on the new lights, they would be agreeable to installing glare shields on all existing lights, too.

Ms. Norvelle said three entrances to any site were always better than two entrances. She said the increased traffic on Gorman Drive had probably been stimulated by recent construction on Trents Ferry Road, and added that the Church was getting the bad effects of that road closure. She added that there was already an entrance to the Church parking area from Gorman Drive and sees no reason for that entrance to be eliminated.

Ms. Norvelle said the enrollment of the preschool would not be increasing and there were no plans to increase the sanctuary size for additional members. She said the purpose of the addition was to improve the interior conditions of what was already there, not to add classrooms. She said there would

be no increase in the amount of traffic associated with the preschool whether the CUP was approved or not.

Ms. Norvelle said the Church felt that they needed additional parking to eliminate cars parking on the street. She answered Mrs. Francus' question by saying that a business would be allowed to have an entrance into a parking lot from a residential street as long as it was approved by the City Traffic Engineer. She said the City allowed churches and preschools in residential areas with the approval of a CUP, and evidentially the City thought the subject facility was compatible with the neighborhood.

Ms. Norvelle concluded by saying that there was not a housing problem in Lynchburg as new developments were being built all of the time.

Mr. Leebrick gave a rebuttal for the opposition. He said the neighborhood questioned the purchase of houses for demolition to accommodate this project. He said that the Church might deny that it was expanding, but common sense said that they purchased all of the property for further expansion. He said the Planning Commission had to make a decision today about two of the houses, but there would still be one house left for future development. He said if the Commission set the precedent at this meeting of turning the property into a parking lot, a future parking lot on the site of the remaining house would destroy the street. He asked the Commission to consider the commitment that these homeowners had made in purchasing property in Lynchburg.

Commissioner Wilkins said she remembered that in 1995/96 Peakland United Methodist Church came before the Commission for another project and at that time the neighbors were unhappy that the Church members were parking on Gorman Drive. She added that this additional parking lot would give the Church an opportunity to eliminate parking on that street. She said the Commission should consider putting a condition on the CUP that would eliminate Church affiliated cars from parking on the subject road. She continued by saying that she was glad that the Church had agreed to glare shield the existing exterior lights and said that should also be a condition.

Commissioner Wilkins noted that she was happy that the stormwater runoff issue would be handled correctly by the appropriate City staff, and added that this petition could be easily approved by adding some additional conditions.

Commissioner Moore expressed his concern that this project did not have a stormwater plan, and continued by saying that in the past some fellow Commissioners had denied petitions because there was not a workable stormwater plan presented to them. He also voiced his concern about tearing down three houses that were probably in good condition when in some parts of the City houses that were only worth \$1 could not be given away. He said the traffic concerns could be improved if traffic on Gorman Drive were limited to one direction, which would be to enter at that site. Commissioner Moore said he was concerned about the property value of the houses and the fact that they would most likely be lowered due to the installation of the parking lot. He said if there were stormwater issues connected to the project, then the City need to develop solutions for those problems.

Commissioner Pulliam asked if the proposed parking lot could be extended from the current parking lot instead of being built behind the new addition. He said all neighbors needed to be concerned for the feelings of each other. He said there were several neighbors in opposition to the petition, and the only way he could support this project was if the parking lot were relocated or remove some of the proposed spaces. He said the people who spoke in favor of the petition were not neighbors of the church. Commissioner Pulliam added that he did support the building addition and the columbarium.

Mr. Martin explained that the site plan before the Commissioners at this meeting was the third draft that the City had received, with one of those drafts showing the parking lot near the existing parking lot. He said that in fairness to all parties involved, when the City staff reviewed a project they had to weigh the impact of the project for all involved. He said currently the Church had a nice playground area with green space, and if the new parking lot were placed near the existing parking lot, it would have a negative impact on that play area. He explained that the other factor that weighed heavily in the Planning Division's recommendation was that the existing Land Use Plan did call for all property

owned by the Church to be used for institutional purposes. He said the Church must have bought the land in good faith knowing that they would be able to continue their plans for the facility. Mr. Martin said the City did not encourage or recommend the demolition of good housing stock, but the Church already owned these houses and could do what ever they wanted with them. He said even if this petition were denied they could still demolish the houses.

Commissioner Echols said he agreed with almost everything he had heard at this meeting, but he did not know which side to agree with more. He said he wished there were a way to get people in and out of the parking lot without using Gorman Drive, since it was so heavily traveled. However, he said, he was an advocate for two entrances and exits to sites in the event of an emergency. He agreed that there was a lot of trash in the area and if the Church could be convinced to clean up their environs that would be a step forward. He added that he felt he should listen to the concerns of the citizens, but he also liked the plan that the petitioner presented.

Commissioner Worthington said churches were going to expand and this facility was compatible with R1. He said for the Commission to approve expansions for one church and not for another is very inconsistent. He continued by saying that the focus of this petition was to decide if the parking lot should be built in the proposed location or at another location on site. He added that most people did not want others parking in front of their house, and this plan would get cars off Gorman Drive and cause less of a traffic problem than street parking. He said even though there should be two ways in and out of the site, the Commission needed to decide if the entrance on Gorman Drive should be allowed. Commissioner Worthington said everyone seemed to be happy with the proposed building addition and columbarium, and he noted his support of the petition. He followed up by saying that he was disturbed that there was so much conflict in the neighborhood. He said these conflicts should have been discussed at the Church's public meeting and worked out at that time instead of at this meeting.

Vice Chairman Flint said the General Plan did call for major private institutional use for all of this property, and said it was a good plan. He reminded that Commissioners that they could attach more conditions to the motion in order to accommodate their concerns.

Commissioner Wilkins said clearly things in this church were growing, and she told the petitioner and representative that if there were other plans for the church in the future, they should come to the City in the form of a master plan.

After further discussion, Commissioner Echols made the following motion, which was seconded by Commissioner Wilkins and passed by the following vote:

"That the Planning Commission recommends to the City Council approval of the petition of Peakland United Methodist Church for a Conditional Use Permit at 4434 Boonsboro Road to allow the construction of an educational building, columbarium and additional parking at the existing Church in an R-1, Single-Family Residential District, subject to the following conditions:

1. Any future proposals for expansion of facilities or use will require a "Master Plan" to be submitted and approved by the City Council.
2. A subdivision plat will be submitted that vacates all interior lot lines of the current Church facilities.
3. All exterior lighting (existing and proposed) will be non-directional and glare shielded to prevent illumination across the property line.
4. A vegetative evergreen buffer will be planted along the eastern property line. This evergreen buffer will extend from the edge of the existing parking area to the northern most property line.
5. The Church will keep the gate to the existing dumpster closed and will keep the property litter free.
6. Access from Gorman Drive will be one-way entrance only.
7. The site plan shall be used and developed (with approved stormwater measures) in substantial compliance with the site plan titled "CUP Plan for Peakland United Methodist

Church” as prepared by Hurt and Proffitt, Inc. dated March 26, 2002 and received March 27, 2002.

AYES:	Echols, Flint, Moore, Wilkins, Worthington	5
NOES:	Pulliam	1
ABSTENTIONS:		0